

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1952 of 2020**

Arising Out of PS. Case No.-94 Year-2020 Thana- SIKANDRA District- Jamui

Kirat Yadav, Son of Bino Yadav, Resident of Village - Dharsanda, P.S.
Sikandra, District - Jamui.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

4 16-03-2021 Heard learned counsel for the appellant and the
learned Special P.P. for the State.

The appellant has preferred the present appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against the refusal of his prayer for regular bail, vide order dated 26.08.2020 passed by the learned A.D.J.-Ist Cum-Special Judge, Jamui, in connection with SC/ST Case No.38 of 2020 arising out of Sikandra P.S. Case No.94 of 2020 instituted for the offence under Sections 341, 323, 354B/504 of the Indian Penal Code and Sections 3(1) (x) of the SC/ST Act and also for setting aside the aforesaid order dated 26.08.2020.

It is submitted by the appellant's counsel that in paragraph 3 of the petition, due to typographical error, it has



been stated that the uncle-in-law of the appellant has lodged Sikandra P.S. Case No.98 of 2020. He submits that, in fact, uncle-in-law of the very same informant has lodged the earlier case.

The F.I.R. alleges that the appellant has attempted to molest the informant. It is further alleged that when the husband of the informant has intervened, he has been assaulted by the appellant.

Appellant's counsel submits that there is a subsisting land dispute between the parties, which forms the basis of his false implication. Earlier also, Sikandra P.S. Case Nos.276 of 2018 and 98 of 2020 were lodged by the relatives of the informant. The appellant has falsely been implicated and is in custody since 13.05.2020.

Learned Special P.P. has drawn the attention of the Court towards the material collected in the course of investigation in which apart from these two cases, another case is said to be pending against the appellant, in which charge-sheet has also been submitted.

Considering the aforesaid circumstances, this Court, for the present, is not inclined to allow appellant's prayer for bail. The same is rejected.



In the result, the appeal is dismissed.

This Court would expect that the appellant’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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